



**International Trademark Association**

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**Via Electronic Mail**

April 26, 2002

Undersecretary of Commerce for  
Intellectual Property and Director  
of the United States Patent and  
Trademark Office  
Washington, D.C. 20231

Attention: Ronald Hack, Deputy Chief Information Officer  
Information Technology Services

Re: Proposed Plan for an Electronic Public Search Facility

In response to the request for comments published in the April 9, 2002 *Federal Register*, the International Trademark Association (INTA) is pleased to offer its support for the proposed plan to eliminate the paper trademark collections from the public search facilities and to transition to electronic trademark information collections. INTA takes no position with respect to the paper patent collections.

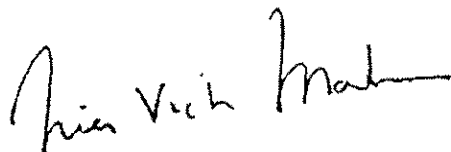
INTA is a 123-year-old not-for-profit organization comprised of over 4,000 member companies and firms. It is the largest organization in the world dedicated solely to the interests of trademark owners. The membership of INTA, which crosses all industry lines and includes both manufacturers and retailers, values the essential role that trademarks play in promoting effective commerce, protecting the interests of consumers, and encouraging free and fair competition. The members of INTA routinely apply for and maintain trademark registrations. They are the customers of the U.S. Patent and Trademark Office (PTO). INTA therefore has a vested interest in working with the PTO to ensure that a fully automated search system has a thorough archival capability, is entirely accurate, and is fully accessible to the public. And in supporting the elimination of the paper files, we trust that the PTO has taken the necessary steps to ensure that the present automated system continues to meet these criteria. In that light, we note with approval that the PTO intends to develop enhanced software vehicles that maintain and improve the automated search system.

We strongly suggest that as part of the planned enhancement, the PTO upgrade the manner in which the electronic search system categorizes and accesses design marks. Because the availability of design records is dependent upon those designs being categorized and "coded" by a human, having a consistent, well-coded database is not always a certainty. In certain instances, this can be an obstacle to a thorough search. INTA encourages the PTO to resolve this problem, so as to ensure that the database of registrations and applications consisting of design marks is consistently coded, such that a search for a design mark will yield the same consistent,

reliable result as a search for a word mark. Commercial searching companies, who have for some time been manually coding all design records to enable thorough searching and recall, and a review by the PTO of existing paper files prior to their elimination, may prove useful to the PTO in enhancing the electronic system. INTA stands ready to assist the PTO with this ongoing effort.

Thank you for the opportunity to submit comments on the proposed plan to eliminate the paper trademark collections. Should the PTO have any questions or comments concerning the INTA response, please contact INTA Washington Representative Jon Kent at (202) 223-6222.

Sincerely,

A handwritten signature in black ink, appearing to read "Nils Victor Montan". The signature is fluid and cursive, with the first name "Nils" being the most prominent.

Nils Victor Montan  
President